

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12253JLA

STEVEN MCDERMOTT and)
STACEY MCDERMOTT,)
Plaintiffs,)
v.)
FEDEX GROUND PACKAGE SYSTEMS, INC.,)
T.S. PRUITT, ALLEGIANCE HEALTH CARE)
INC., D. PONCE, E.W. WYLIE CORPORATION,)
D.W. SMITH, ARSENBERGER TRUCKING)
INC. J.T. FOSBRINK, RYDER TRUCK RENTAL,)
LORRAINE ODZANA as ADMINISTRATRIX)
OF THE ESTATE OF JAMES J. ODZANA,)
SHORELINE TRANSPORTATION, INC.,)
JACLYN PALETTA as ADMINISTRATRIX)
OF THE ESTATE OF MARIO J. CASTRO,)
Defendants.)

)

WITHDRAWAL OF DEFENDANT, JACLYN PALETTA AS ADMINISTRATRIX OF THE
ESTATE OF MARIO J. CASTRO'S, MOTION FOR LEAVE TO FILE A REPLY BRIEF IN
RESPONSE TO D.W. SMITH AND E.W. WYLIE'S OPPOSITION TO CO-DEFENDANTS'
MOTIONS FOR SEPARATE AND FINAL JUDGMENT

NOW COMES the Defendant, Jaclyn Paletta, as Administratrix of the Estate of Mario J. Castro (hereinafter "Ms. Paletta") and withdraws her motion for leave of this Court to file a reply brief to respond to the opposition filed by the Defendants, D.W. Smith and E.W. Wylie (hereinafter "Smith and Wylie") to her motion for entry of separate and final judgment.

Respectfully Submitted,
JACLYN PALETTA as
ADMINISTRATRIX of the
ESTATE OF MARIO J. CASTRO,
By her attorney,

/s/

Dated: November 7, 2007

James S. Franchek (BBO #177030)
Adam M. Berkowitz (BBO #648172)
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CERTIFICATE OF SERVICE

I, Adam M. Berkowitz, Esq., hereby certify that on November 7, 2007 this document is being filed through the ECF system and, accordingly, is being sent electronically to the registered participants as identified on the Notice of Electronic Filing and a paper copy will be sent to any party indicated as a non-registered participant

/s/

Adam M. Berkowitz